

# **BROOKINGS COUNTY COMMISSION MEETING**

**Tuesday, July 10, 2007**

The Brookings County Board of County Commissioners met in regular session on Tuesday, July 10, 2007 with the following members present: Mary Negstad, Dennis Falken, Don Larson, Deanna Santema, and Emil Klavetter.

## **CALL TO ORDER**

Chairperson Klavetter called the meeting to order.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

## **CONSENT AGENDA**

Chairperson Klavetter declared the Consent Agenda approved with no objection from the board. The Consent Agenda consisted of the agenda for the July 10<sup>th</sup>, 2007 Commission Meeting and the minutes from the July 3<sup>rd</sup>, 2007 Commission Meeting.

Travel/Education: Chris Lilla and Matt Archer to attend the ProVal User's Conference October 21<sup>st</sup>-26<sup>th</sup> in Tucson, AZ; Joyce Dragseth to attend the Summer Legislative Study on AG Land Valuation July 11<sup>th</sup>-12<sup>th</sup> in Pierre and the North Central Regional Assoc. of Assessing Officers Board Meeting August 23<sup>rd</sup>-25<sup>th</sup> in Green Bay, WI; Rose Stee to attend State 4-H Horse Show July 23<sup>rd</sup>-25<sup>th</sup> in Huron; Stephanie Vogel and Kristin Trana to attend "Hire Right the First Time" training session July 18<sup>th</sup> in Sioux Falls.

## **ROUTINE BUSINESS**

Motion by Negstad, seconded by Klavetter to approve and authorize Chairperson Klavetter to sign the following claims. Roll Call Vote: Larson "Aye," Negstad "Aye," Santema "Aye," Falken "Aye," Klavetter "Aye." Motion Carried.

A&B BUSINESS, COPIER MAINTENANCE \$72.38; A&B SERVICE, PUMP, FILTER & REPAIR \$1,204.14; ALLIED OIL & SUPPLY, TIRES \$761.54; ALLTEL, CELL SERVICE \$163.65; AFLAC-FLEX ONE, FLEX ONE FEES/JUNE '07 \$85.00; AMERICAN PLANNING ASSOC., MEMBERSHIP \$210.00; ANAWSKI, MARK, NEIGHBORHOOD WATCH TRAINING \$144.00; ANDERSEN, SHANE, MILEAGE, JUNE WEED & PEST BOARD MEETING \$45.24; AURORA AUTO BODY & GLASS, TOWS & CAR REPAIR \$3,491.16; BANNER ASSOCIATES, ENGINEERING SERVICE \$275.00; EUGENE BECKMAN & SONS, FILTERS, RADIO, ETC \$329.51; BLASE WELDING & MACHINE, LABOR ON OIL COOLER \$32.50; BOZIED OIL CO INC, GASOLINE, CAR WASH \$499.32; BREVIK LAW OFFICE, MI HEARING \$165.11; BROOKINGS AUTO MALL, VEHICLE MAINTENANCE, STEERING COLUMN SHAFT \$724.92; BROOKINGS CITY POLICE, CAR RENTAL & FUEL REIMBURSEMENT \$215.38; BROOKINGS CITY UTILITIES, TELEPHONE, UTILITIES, DSL LINE ACCESS, DATABASE/BMU \$9,484.91; BROOKINGS MEDICAL CLINIC, MEDICAL SERVICES/LIENABLE \$616.77; BROOKINGS COUNTY TREASURER, POSTAGE FOR HIGHWAY STAMPS \$82.00; BROOKINGS

GLASS & MIRROR, ROCK CHIP REPAIR \$35.00; BROOKINGS HOSPITAL, MEDICAL SERVICES/LIENABLE \$12,574.07; BROOKINGS HEALTH SYSTEM, COPIES OF MEDICAL RECORDS \$15.90; BRUGGER, SUSAN, COURT APPOINTED ATTORNEY/LIENABLE \$1,673.87; CENTURY BUSINESS PRODUCT, COPIER MAINTENANCE \$68.85; DALE'S ALIGNMENT, EXECUTION \$348.48; DELL MARKETING, SOUNDBAR \$26.84; DIETRICH, DONNA, MI HEARING \$155.11; EAST DAKOTA WATER DEVELOPMENT, MONTHLY WATER CONSERVATION \$254.78; EGEBERG, GARY, MILEAGE \$64.00; EGGEBRAATEN, THEODORE, POSTAGE REIMBURSEMENT \$37.95; EINSPAHR AUTO PLAZA, PART, AIR CONDITIONER REPAIR, TAIL GATE LATCH \$557.53; L.G. EVERIST INC, PEA ROCK & COBBLESTONE \$27,608.33; FITE, ROBERT, COURT APPOINTED ATTORNEY/LIENABLE \$1,037.40; FIXIT SHOP, REKEY LOCKS & KEYS \$61.00; FLEMING, MARY, 4-H JUDGE & MILEAGE \$67.92; FOSTER, BONNIE, 4-H JUDGE \$50.00; G&K SERVICES, LAUNDRY SERVICE \$612.22; GLOVER, ALAN, COURT APPOINTED ATTORNEY/LIENABLE \$319.80; GROUP II ARCHITECTS, COURT APPOINTED ATTORNEY/LIENABLE \$1,706.40; HAROLD'S PRINTING, ACCIDENT REPORT FORMS & JUDGING CARDS \$343.30; HARTSEL, PATRICIA, TRANSCRIPT FEES \$635.60; HENDRICKS, CITY OF, TRANSCRIPT FEES \$4,500.00; HOGIE, STEVEN, REFUND DRAINAGE FEE \$279.32; HOMESTEAD DO-IT CENTER, TOGGLE & LAG SCREW \$5.00; HY-VEE FOOD STORE, GROCERIES & JURY MEALS \$39.50; HY-VEE PHARMACY, MEDICINE/RX \$843.60; INSTY-PRINTS, BUSINESS CARDS \$51.70; INTERSTATE TELECOM. COOP, DATABASE/ITCE-911 \$713.45; INTOXIMETERS INC, JAIL INTOXIMETER REPAIR \$90.90; JENSEN, RANDY, MILEAGE \$8.96; KENNER PLUMBING COMPANY, FLOOR DRAIN REPAIR \$51.00; KIDWILER, MARY, MILEAGE \$8.00; KLEINJAN, DARREL, MILEAGE \$12.16; KNUTSON, DUANE, MILEAGE \$2.88; KOOISTRA, NELVA, MI HEARING \$24.00; LAR-JO'S, ENVELOPES \$147.00; LOWE'S, LADDERS \$293.00; LYLE SIGNS INC, SIGNS \$557.42; MCCANN, M.E., COURT APPOINTED ATTORNEY/LIENABLE \$550.79; MCKEEVER'S VENDING, INMATE COMMISSARY \$643.00; MCI WORLDCOM, UTILITIES \$304.25; M&T FIRE & SAFETY INC, FIRE EXTINGUISHERS & MAINTENANCE, OXYGEN, ETC \$918.40; MANS, BOB, MILEAGE & JUNE WEED & PEST BOARD MEETING \$40.12; MEDICAL X-RAY CENTER, MEDICAL SERVICES/LIENABLE \$34.70; MIDWEST GLASS, OFFICE WINDOWS \$220.06; MINNEHAHA COUNTY TREASURER, MV RENEWAL NOTICES/AUG '07 \$70.07; STEPHANIE MOEN & ASSOC., TRANSCRIPT FEES \$120.58; NACHTIGAL, GLEN, JUNE WEED & PEST BOARD MEETING \$35.00; NELSON, DARREL, MILEAGE \$6.08; NELSON, NANCY, COURT APPOINTED ATTORNEY/LIENABLE \$560.04; NIELSEN'S, PART \$6.14; O'BRIEN, SEAN, COURT APPOINTED ATTORNEY/LIENABLE \$336.80; OLSON & JOHNSON INTL INC., FENDER & FILTER \$308.51; OUTLAW GRAPHICS, MOTORCYCLE MAGNETS \$15.00; PENNINGTON COUNTY JAIL, TRANSPORT PRISONER \$121.35; PITNEY-BOWES INC, QTRLY PAYMENT \$186.00; PRAIRIE GRAPHICS, EMPLOYEE SHIRTS & VISOR CAPS \$258.00; PUBLIC SAFETY CENTER INC, PORT-A-PAC \$73.99; RFD, PUBLISHING, PUBLIC NOTICES & TAX DEADLINE NOTIFICATION \$1,404.64; RAEDER, PAM, 4-H JUDGE & MILEAGE \$80.72; RAMSDALL'S FERTILIZER, WEED SPRAY & PROPANE/WHITE SHOP \$8,956.50; REHFUSS, CATHY, MI HEARING \$24.00; RELIANCE TELEPHONE, INMATE PHONE CARDS \$3,000.00; S.D. DEPT. OF REVENUE, ADM. FEES, BLOOD TESTS, BIRTH & DEATH FEES, MONTHLY MV, COUNTY HEALTH NURSE/3RD QTR \$275,217.62; RHOMAR IND, NEUTRO WASH FOR SANDERS \$474.49; ROBBINS, JEFF, MILEAGE \$17.28; ROCHEL, ROBERT, MILEAGE \$10.56; RUNNING'S BIG "R", FLY SPRAY, PLIERS, FITTINGS, BLADES, GREASE GUN, & ETC \$109.96; SAATHOFF, LAYNE, MILEAGE \$14.72; SCHNEIDER CORPORATION HF, 3RD QTR WEB HOSTING \$2,205.00; SD CONTINUING LEGAL, DAKOTA DISC QTRLY, MAY '07 \$125.00; SDSU WORKSTUDY ACC'T, ADM FEE, BENGSTON & TUCHSCHERER \$291.21; SHEPARDSON HARDWARE HANK, KEYS, TAPE, MAINTENANCE SUPPLIES \$139.16; SHERATON SIOUX FALLS, KEYS, TAPE, MAINTENANCE SUPPLIES \$285.95; SINAI COOP ELEVATOR, DIESEL FUEL/ SINAI \$1,323.48; SIOUX FALLS TWO-WAY RADIO, TWO-WAY RADIO, INSTALLATION & SET-UP \$2,124.58; SIOUX VALLEY WIRELESS, UTILITIES \$37.95; SANFORD, COPIES OF MEDICAL RECORDS \$15.25; SMITH, STEVE, MILEAGE & JUNE WEED & PEST BOARD MEETING \$51.00; SPENCER, BRETT, NEIGHBORHOOD WATCH TRAINING \$144.00; SPRINT, CELL SERVICE \$423.65; SPRINT, CELL SERVICE \$37.68; STATE OF SOUTH DAKOTA, NETWORK TECH FEE \$15.00; STEE, ROSE MARIE, MILEAGE & SUPPLIES REIMBURSEMENT

\$299.42; STREICHER'S, SPIKES, PATCHES, FLASHLIGHT \$671.96; TANGEN, LAURIE, MILEAGE \$70.08; VALLEY MOTORSPORTS, MOTORCYCLE INSPECTION & REPAIR \$104.92; VERIFICATION INC, CRIMINAL CHECK \$105.75; VERIZON WIRELESS, CELL SERVICE \$238.32; WW TIRE SERVICE INC, TIRE REPAIR \$15.00; WAGNER REAL ESTATE, INSPECTION FEES/#07/10/2007 \$800.00; WALMART COMMUNITY, OFFICE & KITCHEN SUPPLIES \$45.59; WALMART COMMUNITY, TOWER FANS \$38.88; WEST GROUP, CODIFIED LAW BOOKS \$45.00; CITY OF WHITE, BULK WATER, WATER, SEWER, ELECTRICITY/WHITE SHOP \$88.90; WIECZOREK, TERRY, COURT APPOINTED ATTORNEY/LIENABLE \$180.01; STANGELAND, JASON, JUROR \$51.28; ENGELKE, JOHN, JUROR \$20.00; HUSSAIN, MUBASHIR, WITNESS \$20.00; AHO, MARVIN, JUROR \$55.12; BRUNS, MICHAEL, JUROR \$62.80; MERGEN, NANCY, JUROR \$51.28; MILLER, AMBER, JUROR \$50.64; MYERS, DONALD, JUROR \$64.72; PAGE, MICHAEL, JUROR \$51.28; POST, JOYCE, JUROR \$57.68.

Motion by Falken, seconded by Negstad to authorize Chairperson Klavetter to sign Resolution #07-23, a Resolution for Plat of Lots 10 through 16 of Block 1 in Country Club Estates in the SE1/4 NE1/4 of Sec. 28-T109N-R50W of the 5<sup>TH</sup> PM. Roll Call Vote: Negstad "Aye," Santema "Aye," Falken "Aye," Larson "Aye," Klavetter "Aye." Motion Carried.

Motion by Negstad, seconded by Falken to authorize Chairperson Klavetter to sign Resolution #07-24, a Resolution for Plat of Collins First Addition in the SE1/4 of Sec. 35-T110N-R49W of the 5<sup>TH</sup> PM. Roll Call Vote: Santema "Aye," Falken "Aye," Larson "Aye," Negstad "Aye," Klavetter "Aye." Motion Carried.

## **REGULAR BUSINESS**

Motion by Negstad, seconded by Falken to approve Agreement #07-19, an Agreement on Delinquent Tax Payment. Roll Call Vote: Negstad "Aye," Santema "Aye," Falken "Aye," Larson "Aye," Klavetter "Aye." Motion Carried.

Motion by Negstad, seconded by Falken to authorize Chairperson Klavetter to sign Resolution #07-25, a Resolution Creating the 24/7 Sobriety Fund, Setting Fees for the Administration of the Program, and Establishing a Cash Change Account for the Program. Roll Call Vote: Larson "No," Negstad "Aye," Santema "Aye," Falken "Aye," Klavetter "Aye." Motion Carried.

### **Resolution #07-25**

A Resolution Creating the 24/7 Sobriety Fund, Setting Fees for  
The Administration of the Program, and Establishing a Cash Change Account for the Program

**WHEREAS**, HB 1072 established a statewide 24/7 sobriety program to be administered by the Office of the Attorney General;

**WHEREAS**, the program coordinates efforts among various state and local government entities for the purpose of finding and implementing alternatives to incarceration for certain offenses that involve driving under the influence and other offenses involving alcohol, marijuana, or controlled substances;

**WHEREAS**, the Act states that all user fees collected in the administration of twice a day testing shall be paid into the treasury of the proper county, or collected by the entity designated by the sheriff;

**WHEREAS**, the Act states that the proceeds of the 24/7 program shall be applied and used only to defray the reoccurring costs of twice a day testing including maintaining equipment, funding support services and ensuring compliance;

**WHEREAS**, Brookings County wishes to establish the fees for participation in the 24/7 Sobriety Program as required by the administrative rules for the act;

**WHEREAS**, Brookings County also wishes to establish the 24/7 Sobriety Fund #248 where those fees will be deposited and a cash change account used to facilitate those transactions;

**THEREFORE BE IT RESOLVED**, that the 24/7 Sobriety Fund #248 is created and the fee schedule is established as follows:

- **Breath Test:** One dollar per test fee collected by the county, retained by the county and deposited into the 24/7 Sobriety Fund #248.
- **Drug Patch:** Forty dollar fee collected by the county, remitted to the state, and subsequently returned to the county from the State Attorney General's Office into the 24/7 Sobriety Fund #248.
- **Urinalysis Test:** Five dollars per test collected by the county, remitted to the state, and subsequently returned to the county from the State Attorney General's Office into the 24/7 Sobriety Fund #248.

**BE IT FURTHER RESOLVED**, that a cash change account is established in the amount of \$50 to be used to facilitate the transactions.

Approved this 10<sup>th</sup> day of July, 2007.

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Emil Klavetter, Chairperson  
County Commission

ATTEST:

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Janet Willmott, County Auditor

Commission Assistant/Human Resources Director, Stephanie Vogel met with the board to discuss correspondence received including invitations to attend an overview meeting of the 2010 Census as well as from the South Dakota Office of Emergency Management to contribute in updating the State Multi-Hazard Mitigation Plan. Also received was a letter of clarification from the South Dakota Public Assurance Alliance. Also presented were two newspaper articles about a lawsuit in Minnehaha County and mileage reimbursement rates.

Deputy States Attorney, Wm. Mark Kratochvil had nothing to report.

#### **COMMISSIONER'S OPEN DISCUSSION**

Commissioner Santema had nothing to report.

Commissioner Falken had nothing to report.

Commissioner Larson had nothing to report.

Commissioner Negstad had nothing to report.

Chairperson Klavetter reported on the Brookings Economic Development Luncheon on Entrepreneurship.

### **BUDGET HEARING**

Stephanie Vogel and Janet Willmott met with the Board to discuss the 2008 Budget.

### **ADJOURNMENT**

There being no further business, Chairperson Klavetter declared the meeting adjourned until 8:30am Tuesday, July 24, 2007 due to Commissioners' absences on July 17, 2007.

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Christine L'Amour  
Office Assistant  
Brookings County Auditor's Office